

# **Murray City Municipal Council Chambers Murray City, Utah**

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 7<sup>th</sup> day of February 2006 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Krista Dunn,	Council Chair
Pat Griffiths,	Council Member
Robbie Robertson,	Council Member
Jim Brass,	Council Member - Conducted
Jeff Dredge,	Council Member

Other who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Brent Davidson,	Deputy City Recorder
Pete Fondaco,	Chief of Police
Boy Scouts,	Troop #392 & Troop #7909

Mr. Brass conducted the meeting

## **A. OPENING CEREMONIES**

### 1. Pledge of Allegiance

Daniel Solomon, Troop #392

### 2. Approval of Minutes

Minutes of January 17, 2006

Ms. Dunn made a motion to approve the minutes with one correction.

Mr. Dredge 2<sup>nd</sup> the motion.

All Ayes

3. Special Recognition(s)

None

Following a tradition at the City Council Meetings, the Scouts & Leaders introduced themselves and let the Council know what troop they were from and the merit badges they are working on.

**B. \_\_\_\_\_ CITIZEN COMMENTS** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

**Margaret Holloway, 443 East 5600 East, Murray, UT**

Ms. Holloway represents the Mill Race Off Leash Users Group. She would like to propose the possibility of an off leash park somewhere in Murray. She has been very vocal in trying to save the one in Taylorsville.

Ms. Holloway gave a brief history of the first off leash dog park on Atherton Drive.

Ms. Holloway noted that Salt Lake City also has an Off Leash Park, which is strictly volunteer, Sandy City also has a park.

Ms. Holloway said they would like to work with someone in the City to see if there is a piece of property that the City owns, County owns, that they could use to put a fence up. They can bring in their own water, take out their own trash, they are just anxious to have a park where they can play with their dogs.

**Liz Campbell, 5600 South Vine Street, Murray, UT**

Ms. Campbell wanted to express how great dog parks are for apartment dwellers, where they don't have yards, and they can walk their dogs all they want. The best way to exercise a dog is another dog. She would also like to say, what a great group of volunteers that Mill Race has from Murray.

They are a great group of volunteers ready to go and help support and raise money. They will help with anything you need in consideration for a Murray Dog Park.

**Anita Savio, 380 East 4800 South, Murray, UT**

Ms. Savio has spoken to Mayor Snarr several times. She just wants him to know that she is still interested in issues of a dog park. This is something that Murray residents need.

**Carrie Nanney, 5660 South 7<sup>th</sup> West, Murray, UT**

Ms. Nanney submitted a written letter instead of speaking.

**C. CONSENT AGENDA**

\_\_\_\_\_ None scheduled.

**D. PUBLIC HEARING(S)**

None scheduled. \_\_\_\_\_

**E. UNFINISHED BUSINESS**

\_\_\_\_\_ None scheduled.

**F. NEW BUSINESS**

- \_\_\_\_\_ 1. \_\_\_\_\_ Consider a Resolution expressing strong opposition to Senate Bill 170 - Land Use Amendments, presently before the 2006 Utah State Legislature, and requesting that the Senators and Representatives, who represent the citizens of the City in the Utah State Legislature, oppose and vote against Senate Bill 170.

Staff Presentor: Krista Dunn

Ms. Dunn is our designated representative to legislative policy committee meetings with the League. Land use has been discussed in depth for a couple of years. Last year they had a very good bill. The law that was passed dealing with land use, all of the stake holders were involved in putting that together.

This year this came as an absolute surprise to the cities. It pretty much took our ability to serve our citizens in terms of having them have any say whatsoever in the process in what happens in their community, in their neighborhoods, to the homes that are directly next to them or within their neighborhoods. It would not allow the cities to do anything, but grant those zone change requests.

With removing the public ability to have any say with their neighborhood, we are absolutely in opposition to that or any other bill that would come out saying that we are going to take the ability for cities to govern themselves away. We have elected officials in our City that our citizens elected to make these kinds of decisions. We have people that we appoint as elected officials that are well trained and study these matters carefully, and we listen to the people in our neighborhoods about what they want to see and what these different developments might do to their property values, to their quality of life within their neighborhoods.

As such, we adamantly oppose this bill. We understand that Senator Mansell has said that he will pull this bill, but the reality is it is there until the session is over. It is sitting there and can be acted upon at any time. We want our legislatures to know that as a City, as elected officials adamantly oppose any bill that would take away this cities ability to listen to their own residents and hear what they need and want in their neighborhoods and specifically Senate Bill #170.

Mr. Brass commented, one of the things he found having served on Planning & Zoning is nothing that they deal with in the City, brings out more people that discussions about changing zoning in neighborhoods or changing land use. For those of you that are here tonight, not a big crowd, if it were a zoning issue in a neighborhood, the chambers would be full. They were very concerned that our citizens would have no input on that, and that is why we are going forward with this.

Ms. Griffiths wanted to compliment the Attorney's Office for the good job they did in drafting this resolution for us. It expresses our feelings very well. Also, having served on Planning & Zoning, this is a very important element of our City legislation. Ms. Griffiths feels the State Legislature usurping authority of the cities and towns on land use decisions would create chaos in our communities.

Ms. Griffiths expressed agreement with the comments which have been made by Ms. Dunn, that we need to keep the zoning decisions at the local level, close to the people who are directly impacted by them. While public clamor should not dictate decisions, citizens input is critical to the process. As elected officials we are directly accountable to the people who have elected us to deal with the issues associated with the land use, to maintain order in our communities and to provide the services that are required by development.

Ms. Griffiths strongly opposes Senate Bill #170 and urges the passage of this resolution.

Mr. Brass read the Resolution.

Ms. Dunn made a motion to approve Resolution expressing strong opposition to Senate Bill 170 - Land Use Amendments, presently before the 2006 Utah State Legislature, and requesting that the Senators and Representatives, who represent the citizens of the City in the Utah State Legislature, oppose and vote against Senate Bill 170.

Ms. Griffiths 2<sup>nd</sup> the motion.

Call Vote Recorded by Mr. Davidson.

**AYE/NAY**

A Ms. Griffiths  
A Ms. Dunn  
A Mr. Dredge  
A Mr. Robertson  
A Mr. Brass

Motion passed 5-0

2. Consider an Ordinance amending Section 2.28 of the Murray City Municipal Code relating to the Police Department.

Staff Presentor: Chief Fondaco

Chief Fondaco noted there are some technical changes to the Ordinance for the unintended consequences of stopping our reserve program. When the Code Enforcement Officers came under the Police Department, they were Reserves and they were kept under that function and they received their authority to enforce the ordinances by the Reserve Program. When that program was discontinued, it left these officers in limbo because they weren't specifically identified in the Police Department. This is just a technical change to correct that.

Ms. Griffiths asked if the Special Function Officers perform other duties for the Police Department besides Code Enforcement?

Chief Fondaco said they actually do because they can impound vehicles, and do other functions that are related to their job, but they are not specifically underneath the Code Enforcement. They work very closely with our Community Officers in cleaning up *drug houses*. There may not be a specific code enforcement violation and that is why they are being classified as Special Function.

Mr. Robertson made a motion to accept the Ordinance.

Mr. Dredge 2<sup>nd</sup> the motion.

Call Vote Recorded by Mr. Davidson

**AYE/NAY**

A Ms. Griffiths  
A Ms. Dunn  
A Mr. Dredge  
A Mr. Robertson  
A Mr. Brass

Motion passed 5-0

Ms. Dunn asked Chief Fondaco, if these Officers are sworn in as Special Function Officers.

Chief Fondaco answered, they will be now.

3. Consider an Ordinance amending Chapter 2.46 of the Murray City Municipal Code relating to Ethics and Standards of Conduct.

Staff Presentation: Krista Dunn

Ms. Dunn noted, for a lead up to this, what she has asked for is basically just to take what Murray City always abided by in terms of ethics for representatives of the City, Employees, members of Board & Commissions, elected Council Members and the Mayor to take the State Code and to put it into the form of an Ordinance for the City.

This is nothing new, this isn't anything that we haven't done all along. All we are doing is codifying what has already been there for our City. While this is nothing new as how we've governed ourselves, it is new as an Ordinance. We have always abided by it and all appreciate the laws and it keeps us safe and we are happy to put it into an Ordinance at this time.

Ms. Dunn made a motion to approve Ordinance.

Ms. Griffiths 2<sup>nd</sup> the motion.

Call Vote Recorded by Mr. Davidson

**AYE/NAY**

A Ms. Griffiths  
A Ms. Dunn  
A Mr. Dredge  
A Mr. Robertson

A Mr. Brass

Motion passed 5-0

**G. MAYOR**

       1. Report

- ✓ Mayor Snarr noted that Mr. Brass, Ms. Dunn and the Mayor met a few months ago with the owners of Fashion Place Mall, General Growth out of Chicago. At that time they indicated they were going to work with the other primary owners of Fashion Place Mall (Sears owns their land, Nordstrom's owns their land and Dillard's.)

General Growth has some nice plans which they have been developing if they can get the cooperation from the land owners, as far as a total remodel and expansion of Fashion Place Mall. The Mall is more than 30 years old now, and at that point of time they usually need to be updated and enhanced in order to be appealing to shopping patrons.

General Growth called the Mayor today and indicated that sometime within the next 30-45 days he would be back in touch with the Mayor, the Mayor gave him two months. If anyone would like to attend the ISSC Show in Las Vegas, they will make a presentation as well, as far as announcing what their plans are. This is the first venture of major significance as the expansion and development of one of their properties in Utah.

- ✓ Mayor Snarr let the Council know they have put some lighting up on the overpass. The lighting which they talked about and which was approved by the Council.
- ✓ They contracted with Jones Excavation to do some of the pot holes over there to make sure they don't contaminate any of the barriers and any of the materials which are buried over on the site. Over the next few months that project will be finished.
- ✓ Mayor Snarr talked to Gary Perhson today about IHC participating with extending the lighting along the State Street Corridor and part of 53<sup>rd</sup> from State Street going west to Woodrow. He said he would take it to the appropriate resource within IHC and discuss it.

They also talked about change in resources for the Emergency Operations Center.

- ✓ Chief Fondaco wanted to discuss making the opportunity to use the height of their hospital for another repeated tower so we can have some backup and be a great resource for us.
  - ✓ There will be a big article in the Tribune this Friday the 17<sup>th</sup>. It will be a special about the new Intermountain Medical Center.
  - ✓ Mr. Brass noted there is a Town Meeting where we can meet with most of the Legislators which we named in the Resolution, Saturday, 10:00 a.m at Desert Star.
  - ✓ Ms. Griffiths noted, former Mayor Lynn Pett will be honored as one of the Gold Caduceus Recipients of Amicus on the 16<sup>th</sup> of February. Amicus is a subsidiary of Deseret Foundation, the fund-raising arm of IHC for medical research.
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2. Questions of the Mayor

**H. ADJOURNMENT**

\_\_\_\_ Recorded by Brent Davidson, Deputy City Recorder